

## MEETING #33 - August 27, 2019

At a Regular Meeting (#2) of the Madison County Board of Supervisors on August 27, 2019 at 6:00 p.m. at the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT:        R. Clay Jackson, Chair  
                      Amber Foster, Vice-Chair  
                      Jonathon Weakley, Member  
                      Kevin McGhee, Member  
                      Charlotte Hoffman, Member  
                      Jack Hobbs, County Administrator  
                      Mary Jane Costello, Director of Finance/Assistant County Administrator  
                      Sean Gregg, County Attorney  
                      Jacqueline S. Frye, Deputy Clerk

### Call to Order, Pledge of Allegiance & Moment of Silence

*\*Chairman Jackson recognized the recent passing of Kenneth "Wes" Smith as the Building Official; all were asked to keep his family in their thoughts\**

### Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson advised of the following additions to today's Agenda:

- *Move: Item 8 [Discussion: Proposed Farmer's Market Tent at Hoover Ridge] Just before:*
- *Item 1 [Consideration: EMS Request for Ballistic Training Funding, Mechanical Chest Compression Device Funding & Ambulance Design]*

Supervisor McGhee moved that the Agenda be adopted as amended, seconded by Supervisor Foster. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

### Public Comment.

Chairman Jackson opened the floor for public comment.

The following individual(s) provided comments:

- Joe May: Advised that VDOT hasn't returned to install a third culvert on Whippoorwill Road (Rt. 642 at Danny Weakley's property); questioned the outcome of Rt. 666 (Pea Ridge Road).
- Tina Auth (recent Animal Shelter employee): Advised of a recent issue at the Madison County Animal Shelter that involves Greg Cave, ACO, in regards to a recent fundraiser; claims that (in her opinion), Mr. Cave was trying to 'take over the fundraiser event' (sponsored by White Horse Auto), and that she was 'written up' by Mr. Cave because she 'went over his head' and reported her concerns to the County Administrator, and that she attended the event; suggested that Greg Cave be 'taken out of office' because so many animals are dying and that horrible things are happening behind the shelter doors on a daily basis because of having a cold, urinary tract, or respiratory infection because he (Greg Cave) wants to clear cages; felt that she has being 'bullied by two (2) Madison County representatives' and that the County Administrator is '100% in favor of Greg Cave's actions'; advised that she 'quit her job' (wasn't fired), and that

what's happening is wrong and she will not stop until every county citizen is aware of what's happening at the Animal Shelter; pleaded with the Board to 'do your job and get Greg Cave out of the shelter office.'

- *Chairman Jackson: Advised that the Board has been advised of the issue transpiring at the shelter; noted that the issue is a personnel matter and can't be discussed at the present time; thanked Ms. Auth for taking the time to attend today.*

With no further public comment being brought forth, the public comment opportunity was closed.

## Special Appearances

### Constitutional Offices:

**Commissioner:** *Brian Daniel, Commissioner, was present to advised that his office is still working on the personal property book; verbalized frustrations with the current financial software package being used by his office.*

**Commonwealth Attorney:** *Clarissa Berry, Commonwealth Attorney, was present to advise that Jennifer Hayes, Victim Witness Coordinator, and Vivian De La Cruz were accepted in the Virginia Sexual & Domestic Violence Action Alliance training series for six (6) to nine (9) months; both have learned new ideas to bring to the County; a booth will be in place at the upcoming Taste of the Mountains Festival and a Domestic Violence Awareness Month event is being planned for October 2019.*

### County Departments:

#### 1. Consideration; EMS Request for Ballistic Training Funding, Mechanical Chest Compression Device Funding & Ambulance Design (Hillstrom):

a) **EMS Request for Ballistic Training Funding:** Noah Hillstrom, Director of Emergency Medical Services, was present to advised that the recent blood drive was a success; also request to allow EMS personnel to participate in an active threat environment training with the recently purchased ballistic gear (at a cost of \$2,850 [quote provided for review/consideration]); also noted that the EMS training budget isn't sufficient to support the class with the other training requirements for FY20 (i.e. available funding of \$2,500).

- *Supervisor Foster: Advised that the Sheriff's Office has offered to provide ballistic training to EMS personnel.*

Noah Hillstrom, Director of Emergency Medical Services, verbalized concerns that although the Sheriff's Office has offered to provide the training to EMS personnel at no cost, this process will not allow EMS personnel to receive any type of certification (which is good for four [4] years) for participating in the training endeavor.

Mary Jane Costello, Finance Director, was present to provide highlights of the funding documentation that was provided; the grant provided more funds than assumed, which has left a positive outcome.

Erik Weaver, Sheriff, advised that training will be initiated with Troy Estes, Deputy, within the next thirty (30) days.

After discussion, it was the consensus of the Board to suggest that Mr. Hillstrom proceed with the ballistic training

offered by the Sheriff's Office and to return to the Board if funding for additional training is needed.

The County Administrator advised that public safety, emergency and law enforcement personnel work very well together, but also noted that there may be a different dynamic in place for EMS personnel as opposed to what's in place for the fire department, rescue volunteers and law enforcement; also noted that most EMS personnel more than likely had no knowledge that there would be future ballistic training.

**RASF Grant Funding:** Noah Hillstrom, Director of Emergency Medical Services, advised that the 80/20 RASF grant cycle is open; will be applying for the 50/50 grant for a mechanical chest compression device that would go on the new ambulance - cost to county (if awarded the 50/50 grant funding) would be \$9,871.50 - grant application period ends on 9/16/19. No supplemental appropriation request is being sought for this proposal.

Supervisor McGhee moved that the Board authorize an application to the Rescue Squad Assistance Fund Program for a grant that would fund 50% of the purchase of a Lucas chest compression system at an estimated total cost of \$19,743, seconded by Supervisor Foster. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

**Ambulance Design:** Noah Hillstrom, Director of Emergency Medical Services, provided photos of the recently purchased "Response 3" vehicle that represents the proposed ambulance paint color and marking design. He indicated a goal to have a professional vehicle that upholds our safety culture, is highly visible/reflective, but also in line with the County's vision. If the current design of the new Response 3 is not what the County would like to continue with, he will need to submit a new plan to the manufacturer as soon as possible.

After discussion, the Board verbalized acceptance of the proposed vehicle design as presented.

**2. Report: NextGen 911 Mapping Project (Gordon):** Brian Gordon, Director of Emergency Medical Services, was present to provide highlights regarding:

**NG911 Boundary Work**

- A committee has been formed between Page County, Rappahannock County and Madison to synchronize our PASP boundaries so that 911 calls can be effectively received and routed.
- Hurt and Proffitt is involved along with myself for Madison County's interest.
- The committee met last Tuesday to begin working towards solutions.
- Collectively we will continue to meet every two weeks and transitioning to weekly.
- The goal is to have a solution no later than March 1, 2020.

**Concerns at this point**

- The Shenandoah National Park
  - ✚ Should we receive the 911 call or should they receive it at their headquarters?
  - ✚ Traditionally landlines have gone to their headquarters and we need to revisit this to guarantee that this is best for all parties involved. NG911 will also route wireless in a similar format.
  - ✚ SNP Staff will be joining us at our next meeting.
- PSAP Boundary discrepancies between the Counties.

✚ There have already been at least two identified.

It was also reported that today's update is not a realignment of the provisional boundary but just a line drawn to decide who gets 911 calls from defined locations. There has been talk among others in the field to route 911 calls to the closest agency regardless of jurisdiction. The issue is Law Enforcement and Madison needing to know what emergencies are occurring in Madison County. I have suggested that we go the route of automatic aid in those instances where we know that another agency is closer than our resources are.

Mr. Gordon inquired whether the Board of Supervisors would like to be advised whenever there is a tweak in the proposed project.

In regards to a comment (from Chairman Jackson) regarding whether any County land will be affected by the proposed change, Mr. Gordon advised that it would not. Mr. Gordon further relayed that some folks feel that 911 calls should be routed to the closest available resource, but he further advised that law enforcement can't cross lines 4-5 miles outside of their area of jurisdiction; therefore, he noted that the aforementioned suggestion can't be carried through. In closing, he suggests that the process remain 'as is' and let the agencies establish protocol details.

After discussion, it was the consensus of the Board to allow Mr. Gordon to handle all future modifications on behalf of the County.

**3. Consideration: August 13, 2019 (#32) Meeting Minutes (Frye):** Chairman Jackson called for corrections, deletions or adoption of the meeting minutes presented.

Supervisor Hoffman moved that the Board approve the Minutes (#32) of August 13' 2019, seconded by Supervisor McGhee. *Aye: Jackson, Foster, McGhee, Hoffman. Abstain: Weakley. Nay: (0).*

#### Old Business

**4. Discussion: Criglersville Elementary School Issues (Hobbs):** The County Administrator advised that the County has placed an ad for bids for a demolition contractor for the Criglersville school; pre-bidding will take place on September 3'2019 -accepting bids on October 9'2019 and have a packet in order for the Board to approve on October 22'2019. The invitation to bid has been posted online and is available for review. At this time, it's anticipated that a contractor can be on site following the November 2019 election and the goal is to have the demolition project complete by the end of 2019.

A public hearing has also been advertised for the relocation of the Criglersville Voting Precinct; all is on track to have the hearing on Wednesday, September 4, 2019 following the Joint Meeting session.

**5. Discussion: Moore Building Purchase (Jackson):** Chairman Jackson advised that the structural report has been provided to the Board for review, which wasn't very favorable. The structure does have some issues.

Tracey Gardner, Director of Economic Development, was present to report that the structural report was actually based on findings from a 1999 report. She further noted that the building did sustain an earthquake and no brick fell during that incident. It was also noted that the Madison Arcade Building also suffers many of the same issues

noted for the Moore Building and it's still being used today. It was also reported that many of the issues in place for the Moore Building are standard for a building of its age. She further noted that the Moore Building is a historic building, is located in a good location (within the Town) and does qualify for tax credits should an individual be willing to pursue this endeavor with the National Historic Registry; however, it would be difficult for the County to pursue this endeavor due to not being a County taxpayer, private investor or LLC. Recommendations based on another report suggested that an investigation be done by a qualified structural engineer that specializes in the preservation of historical structures.

**Comments from the Board:**

- *Chairman Jackson: Questioned if there are any funding mechanisms in place that are available to fund restoration efforts to the Moore Building.*
- *Supervisor Foster: Questioned if Mr. Moore has had the opportunity to review the current report, and whether he'd be willing to make additional improvements.*

Ms. Gardner noted that the location of the Moore Building provides an economic hub for the County. She also referred to the number of visitors to the Center thus far this month.

- *Supervisor Hoffman: Verbalized the fact that she is convinced that the firm that provided the report knows what they're doing and also referred to the fact that a column in the structure was eaten through by termites and wasn't fixed (as suggested by Wes Smith, Building Official); feels no structural report has been received for review and consideration; also feels that the County will get the same amount of visitors at the Center regardless of where the office is located.*

After discussion, it was the consensus of the Board to request that Ms. Gardner provide additional information to the Board on the Moore Building for discussion at the next meeting session within two (2) weeks.

- *Supervisor Weakley: Asked for clarification as to what the Board is asking Ms. Gardner to provide within the next two (2) weeks, whether it be to provide definitive statements regarding historic restoration requirements and/or funding mechanisms.*
- Matthew Gardner: Questioned the amount of funding initiated through tourism within the past year; he further noted that dollars brought in by tourism is an asset for the County, and is located in a perfect part of Town and in a historical building with sufficient space, and should be encouraged, although the building needs some repairs; he noted that the Madison Arcade doesn't provide the necessary space as needed for the Visitor's Center. To which Ms. Gardner advised was \$35,060,000 (based on information received from VATI) broken down by lodging, total number of employees, tax receipts, etc.
- *Supervisor McGhee: Questioned if the building will meet the future needs, despite the need for repairs.*

The Board thanked Ms. Gardner for her efforts and input on the Moore Building.

Chairman Jackson advised that the structural report has been provided to the Board for review, which wasn't very favorable. The structure does have some issues.

**6. Discussion: Amending the Madison County Historical Society's Lease for the Criglersville Museum House:**

Chairman Jackson advised that no bids have been received to date for purchasing the Criglersville Elementary School property; he suggested that the lease agreement (between the Board of Supervisors and the Madison County Historical Society) be changed to allow the historical society to move forward with initiating their museum. In closing, he verbalized disfavor of allowing an easement to be initiated with the historical society at this time.

Supervisor Weakley: Questioned if the County Attorney could provide some insight on the aforementioned matter.

The County Administrator advised that the existing lease contains a six-month (6) termination clause that seems to be the Society's significant issue of concern.

After discussion, it was the consensus to request that a clause be incorporated into the draft lease agreement to allow both entities to have an option to 'opt out' if necessary. The County Attorney was charged with working with the County Administrator and Max Lacy of the Madison County Historical Society to draft a lease agreement. This item will be added to a future Agenda once all documentation is in order.

**7. Discussion: Pending VDOT Issues (Hobbs):** The County Administrator advised that Joel DeNunzio of VDOT will attend the meeting on September 10/2019; it's anticipated that a list of items will be discussed during that session.

**Supervisor Weakley:** Referred to the need for an update on:

- 1) Pea Ridge Road
- 2) the third (3rd culvert to be placed on Whippoorwill Road (near Danny Weakley's property)
- 3) A section of Cedar Hill Road and Clore Road (drainage issue located at a house on the right close to the intersection)

**New Business**

**8. Discussion: Proposed Farmers Market Tent at Hoover Ridge (Hobbs):** Gerald (Jerry) Carpenter, PRA Manager, was present to provide input on a request by the Farmers' Market to erect a tent (attained with grant funding) at a specific area of land at Hoover Ridge Park (off Fairground Road).

- *Chairman Jackson: Advised of an issue with the: 1) time frame involved (i.e. one year); if the tent is taken down, this obligates the PRA to handle this and to also re-erect the tent; suggested the County place a six (6) month restriction on the time frame the tent can be in place on County property.*
- *Supervisor Weakley: Asked the County Attorney of what will be required (of the County) due to the fact that the PRA has passed a MOU with the Madison Farmer's Market, and if it would be appropriate for the County to vote on the proposed time frame (of six [6] months) in order to have a voted action on record to indicate the County's desire vs. the MOU initiated by the PRA.*

The County Attorney advised that the ultimate decision belongs to the Board of Supervisors; some action on the part of the Board may be appropriate; however, the challenge of the MOU is to do include 'tenancy at sufferance' which doesn't hold the County responsible in the event that the County wouldn't be obligated to allow an action

for a period of years. In closing, he noted that the County Planner has done research regarding the request. A vote on the part of the Board isn't necessary, as the Board can defer action based on what the PRA Board has already implemented. In any case, the County can elect to revisit the proposal if things don't appear to be going smoothly.

The County Administrator verbalized concerns regarding the size of the tent structure to be erected on County property, which will make the County liable and responsible for what happens at the property as a result of today's proposed request. He further advised that the structure must be insured and that the PRA fully understands when the tent can be erected and when it must be taken down.

Mr. Carpenter referred to the proposed deadline provided by the Madison Farmer's Market.

After discussion, by consensus of the Board, the tent will be in place for no more than six (6) months, and that Mr. Carpenter, PRA Manager, meet with the County Attorney and members of the Madison County Farmer's Market to discuss specifics of today's proposal.

**9. Discussion: Event Venue Ordinance (Jackson):** Chairman Jackson suggested that the Board task the Planning Commission with researching an event venue ordinance, as this topic is starting to appear frequently within the County.

- *Supervisor Weakley: Concurred with the aforementioned suggestion; questioned how these proposals fit into the County's overall landscape.*

Carty Yowell, Commission Chair, questioned if the Board would like to see a new ordinance or if there will be an option to modify/amend the existing zoning ordinance.

The County Attorney suggested the Board direct the Planning Commission to research an Event Venue Ordinance by way of a proper vote.

Mike Fisher, Commission member, was present and asked that the Board provide some guidance to the Planning Commission in the beginning as opposed to the end of the overall research; he further noted that 'a venue' is someone that makes money', and questioned if this is the area of interest.

- *Chairman Jackson: noted that an event venue for monetary gain (large/small) as excluded outside of 'seasonal/brief use' and the rural resort ordinance.*

Supervisor Weakley moved that the Board direct the Madison County Planning Commission to research an Event Venue Ordinance as described by the Chairman of the Board, seconded by Supervisor Foster. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay:(0).**

Chairman Jackson noted that the Board will need to enter into a closed session.

The County Attorney noted that today's Agenda will need to be amended in order to allow for the closed session.

Supervisor Weakley moved that today's Agenda be amended to further the closed session for the description pursuant to Virginia Code Section 2.2-3711(A)(1) for the purpose to discuss personnel issues related to the Madison County Animal Shelter, seconded by Supervisor Hoffman. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

**Information/Correspondence:** The County Administrator advised of the following dates:

**September 4'2019**

- ✚ Issue concerning Dana Squire and her subdivision located on Clore Road
- ✚ Discussion on the Event Venue
- ✚ Public Hearing on relocation of the Criglersville Voting Precinct

**September 10'2019**

- ✚ VDOT discussion with Joel DeNunzio (VDOT)
- ✚ Town of Madison Request for sidewalk endorsement funding request
- ✚ Continued discussion on the Moore Building

**Public Comment:** Chairman Jackson opened the floor for public comment. The following individual(s) provided comment(s):

- Nick McDowell: Commented on the proposed color scheme for the new emergency medical services vehicle - feels this will allow folks to identify that the vehicle is for emergency services; advised of the importance of the proposed chest compression device and that the unit will be a lifesaving asset to emergency services personnel; also stressed the need for an emergency warning light on the street between the rescue squad and new EMS location.
- Joe May: Suggested that a wealthy benefactor or LLC purchase the Moore Building and take advantage of the available generous tax credits; also verbalized skepticism that the County received the amount of tourism dollars as stated (by Ms. Gardner) of \$35,060,000.

Chairman Jackson suggested that Ms. Gardner provide VATI information to Mr. May for review regarding tourism dollars received in the locality.

Mary Jane Costello, Finance Director, advised that Nelson County recently took advantage of tax credits, and that there is a law firm that specializes in this particular endeavor; she will provide the contact information to Ms. Gardner for review.

- Mike Fisher: Advised that the Planning Commission can't track events in the locality without a business license being in place; also feels that the proposed RV park will be an exciting venue for the county; also referred to the:
  - ✚ Wieland property (next to the Food Lion) [has received DEQ approval]
  - ✚ Bald Top Brewery (request to expand parking, install portable toilets, and to serve food) [feels the improvements will bring more traffic on Thrift Road]
  - ✚ Suggested that VDOT assess the traffic light at Rt. 29 and Fairgrounds Road [suggested that a right turn light be in place]



Carty Yowell: Advised that his wife (Lynn) has suggested that Emmet Road be paved '*because she is tired of walking the dog down a dirt road and having dirt tracked back into the house.*'

With no further comments being brought forth, the public comment opportunity was closed.

**Closed Session (Personnel - 2.2-3711(A)(1), Legal - 2.2-3711(A)(7) & 2.2-3711(A)(8), and Negotiations - 2.2-3711(A)(29)**

**Closed Session**

On motion of Supervisor Foster, seconded by Supervisor Weakley, the Board convened in a closed session pursuant to Virginia Code Section 2.2-3711(A)(1) *to discuss personnel issues related to the employees at the Madison County Animal Shelter.* **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

Supervisor Foster moved that the Board re-convene in open session, seconded by Supervisor Hoffman. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

Supervisor Foster moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A) (1) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor McGhee. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

**\*No action was taken as a result of the closed session\***

**Adjourn**

*With no further action being required, Supervisor Weakley, moved that the meeting be adjourned, seconded by Supervisor Foster.* **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

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R. Clay Jackson, Chairman  
Madison County Board of Supervisors

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Clerk of the Board of the Madison County Board of Supervisors  
Copies: Board of supervisors, County Attorney & Constitutional Officers  
Adopted on: September 10, 2019

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### Agenda

#### Regular Meeting

Madison County Board of Supervisors

Tuesday, August 27, 2019 at 6:00 p.m.

County Administration Building, Auditorium

414 N Main Street, Madison, Virginia 22727

#### Call to Order, Pledge of Allegiance & Moment of Silence

#### Determine Presence of a Quorum / Adopt Agenda

#### Public Comment

#### Special Appearances

#### Constitutional Officers

#### County Departments

1. Consideration: EMS Request for Ballistic Training Funding, Mechanical Chest Compression Device Funding and Ambulance Design (Hillstrom)
2. Report: NextGen 911 Mapping Project (Gordon)

#### Minutes

3. Consideration: August 13, 2019 Meeting Minutes (Frye)

#### Old Business

4. Discussion: Criglersville Elementary School Issues (Hobbs)
5. Discussion: Moore Building Purchase (Jackson)
6. Discussion: Amending the Madison County Historical Society's Lease for the Criglersville Museum House (Jackson)
7. Discussion: Pending VDOT Issues (Hobbs)

#### New Business

8. Discussion: Proposed Farmers Market Tent at Hoover Ridge (Hobbs)
9. Discussion: Event Venue Ordinance (Jackson)

#### Information/Correspondence

#### Public Comment

*Closed Session: Personnel Matters [2.2-3711(A)(1)]*

#### Adjourn